

D1 available information and skill with determining the frequency of interruptions. Another option, if available, would be to purchase interruptible power during the time of year when interruptions are unlikely and buy firm power when interruptions are likely to occur. While better than purchasing nothing but interruptible power, this method does not provide the same savings as it is possible to realize using a larger percentage of interruptible power and it is still possible to be surprised by interruptions requiring the customer to buy spot power. --

---

The paragraph on page 4, lines 1-12, is being amended to read as follows:

---

D2 -- What is needed is a system that allows the customer to buy less expensive interruptible power from the least expensive power generating utility or broker and avoid the risk of loss of power. A method which combined the sale of interruptible power with a financial instrument designed to indemnify against loss resulting from foreseeable interruptions would achieve this goal. A system which allows the customer to purchase or contract with a power broker/utility via a computer connected to the Internet or similar network would also be highly desirable. It would also be advantageous if the system allowed the customer to compare purchase prices from several different providers in order to provide the customer with the best possible price. It would also be advantageous if the system allowed the customers to bid on available utility resources rather than paying a fixed rate, thereby allowing customers to realize a savings and utilities to efficiently sell off unused capacity. --

---

The paragraph on page 10, line 17 - page 11, line 6, is being amended to read as follows:

---

D3 -- The implementation of the present invention from the generating utility and end-user may be accomplished via traditional business means (typically written agreements) or via a computerized transaction. If the transaction is carried out over a computer network (via the

D<sup>3</sup> Internet in the preferred embodiment), a wholesale or retail customer would be able to purchase the utility commodity from the provider either with or without an attached financial instrument. The purchaser would also be able to purchase the commodity from one provider and the financial instrument from a separate financial broker. Sales by a utility may be conditioned upon the purchase of an insurance policy by the purchaser. In another embodiment, an alternative energy provider may sell hedge contracts supported by its own power generating surplus. In yet another embodiment, purchasers bid on available power and financial instrument from a variety of different providers. --

---

The paragraph on page 11, lines 7-22, is being amended to read as follows:

---

D<sup>4</sup> -- Fig. 4 illustrates the method steps of the present invention as they would be carried out through traditional processes or as implemented in software on one or more computers. At step 32 a price is determined for the commodity at a first tier. In the preferred embodiment, this will be the price for firm electrical power in a particular class (residential, industrial, etc.) which will be the most expensive electrical power available in that class. At step 34 the price for the commodity at a second tier within the same class is determined. In the preferred embodiment, this will be interruptible power in the same class available for a substantially lower price than the power in the first tier. The price determinations made in steps 32 and 34 are accomplished using any of a number of well known techniques. One source of information useful in determining these prices is Federal Energy Regulatory Commission (FERC) Open-Access Same-time Information System (OASIS) provides information about available transmission capacity. At step 36 a price is determined for a financial instrument to cover the loss which would be suffered in the event of a foreseeable interruption in service